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8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2011-972

12 **RITA SNIDER**  
13 **A.K.A. RITA BARGETTO SNIDER**  
14 **A.K.A. RITA MARIE BARGETTO**  
983 Charles Hill Road  
Santa Cruz, CA 95065

**A C C U S A T I O N**

15 **Registered Nurse License No. RN 455434**

16 Respondent.

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18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
21 official capacity as the Executive Officer of the Board of Registered Nursing, Department of  
22 Consumer Affairs.

23 2. On or about August 31, 1990, the Board of Registered Nursing issued Registered  
24 Nurse License Number RN 455434 to Rita Snider, also known Rita Bargetto Snider, and also  
25 known as Rita Marie Bargetto (Respondent). The Registered Nurse License was in full force and  
26 effect at all times relevant to the charges brought in this Accusation and will expire on August 31,  
27 2012, unless renewed.

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4. Section 2750 of the Business and Professions Code (Code) provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

5. Section 118, subdivision (b), of the Code provides that the suspension/expiration/surrender/cancellation of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

6. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under section 2811, subdivision (b), of the Code, the Board may renew an expired license at any time within eight years after the expiration.

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"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

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8. Section 490 of the Code provides, in pertinent part, that a board may suspend or revoke a license on the ground that the licensee has been convicted of a crime substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued.

9. California Code of Regulations, Title 16, section 1444 states:

"A conviction or act shall be considered to be substantially related to the qualifications, functions or duties of a registered nurse if to a substantial degree it evidences the present or potential unfitness of a registered nurse to practice in a manner consistent with the public health, safety, or welfare. Such convictions or acts shall include but not be limited to the following:

"(a) Assaultive or abusive conduct including, but not limited to, those violations listed in subdivision (d) of Penal Code Section 11160.

"(b) Failure to comply with any mandatory reporting requirements.

"(c) Theft, dishonesty, fraud, or deceit.

"(d) Any conviction or act subject to an order of registration pursuant to Section 290 of the Penal Code."

## COST RECOVERY

10. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

FIRST CAUSE FOR DISCIPLINARY ACTION

(Unprofessional Conduct)  
(Bus. & Prof. Code §2761(a))

11. Respondent has subjected her Registered Nurse License to disciplinary action for unprofessional conduct under Code section 2761, subdivision (a). The circumstances are as follows:

a. On or about October 8, 2010, in Scotts Valley, California, Respondent presented two forged prescriptions to the Laboratory Services at Dominican Hospital to obtain blood work for herself and her two minor sons. Respondent signed the name of her children's pediatrician,

1 Michael Andrew Rankin, M.D., on one prescription for her two minor sons and signed his name  
2 on a prescription for herself. The blood work was performed at Dominican Hospital. However,  
3 the office manager at Dominican Hospital contacted Dr. Rankin to confirm that he had signed the  
4 prescriptions. Dr. Rankin said he had not signed the prescriptions and was unaware of the request  
5 for blood work. Respondent admitted to a deputy with the Santa Cruz County Sheriff's Office  
6 that she signed Dr. Rankin's name on the prescriptions. Respondent told the deputy that she had  
7 taken two blank prescriptions eight years ago when she worked at Dominican Hospital.

8 SECOND CAUSE FOR DISCIPLINARY ACTION

(Conviction)

9 (Bus. & Prof. Code §§ 490 and 2761(f))

10 12. Respondent has subjected her Registered Nurse License to disciplinary action under  
11 Code sections 490 and 2761, subdivision (f), and California Code of Regulations, Title 16,  
12 section 1444 in that she was convicted of a crime substantially related to the qualifications,  
13 functions, or duties of a registered nurse. Specifically, on or about November 4, 2010, in the  
14 Superior Court of California, County of Santa Cruz, Case No. M55958, entitled *The People of the*  
15 *State of California v. Rita Marie Bargetto*, Respondent was convicted by her plea of nolo  
16 contendere of violating Section 484, subdivision (a) of the Penal Code (petty theft), a  
17 misdemeanor. On or about February 22, 2011, upon proof that Respondent performed 75 hours  
18 of volunteer service, Respondent's plea was vacated as a misdemeanor and reduced to an  
19 infraction.

20 PRAYER

21 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
22 and that following the hearing, the Board of Registered Nursing issue a decision:

23 1. Revoking or suspending Registered Nurse License Number RN 455434, issued to  
24 Rita Snider, also known Rita Bargetto Snider, and also known as Rita Marie Bargetto  
25 (Respondent);

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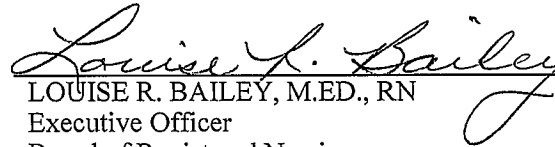
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1           2.     Ordering Respondent to pay the Board of Registered Nursing the reasonable costs of  
2 the investigation and enforcement of this case, pursuant to Business and Professions Code section  
3 125.3; and

4           3.     Taking such other and further action as deemed necessary and proper.

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6 DATED: 6/13/11



LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
*Complainant*

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